

**HUNTSVILLE TOWN  
ORDINANCE NO. 2012-06-30**

**AN ORDINANCE ADOPTING RESTRICTIONS ON THE USE OF  
FIREWORKS WITHIN THE MUNICIPALITY.**

**WHEREAS**, in 2011 the Utah legislature modified the state law by amending the types of fireworks which may be discharged in Utah which appears to have increased the use of fireworks within the Town; and

**WHEREAS**, in 2012 State law changed the dates allowed for discharge; and

**WHEREAS**, there currently is and may be in the future a high risk of fire during the time when fireworks are allowed to be discharged; and

**WHEREAS**, the Governor of the State of Utah has recommended that cities and towns consider restricting fireworks due to high fire danger; and

**WHEREAS** the Council finds it is in the best interest of the municipality and the general health, safety and welfare of the public that this ordinance should be passed;

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF  
HUNTSVILLE TOWN AS FOLLOWS:**

**1. Definition.** All terms relating to fireworks used in this ordinance shall have the same meaning as they are defined in Utah Code Annotated 53-7-202 of the Utah Fire Prevention Act.

**2. Sale, Discharge and Possession of Certain Fireworks Restricted.**

a. It is unlawful and for any person to sell or offer for retail sale, or to discharge, or to have in their possession any fireworks in this municipality, other than class C common Utah State approved explosives used in accordance with, and only on the dates allowed, by Utah Code Annotated Sections 53-7-220 through 225; the rules adopted pursuant thereto; and this ordinance, except as otherwise permitted by State law.

b. Due to unusual extreme hazardous fire conditions throughout Huntsville Town and surrounding areas, the discharge of any and all fireworks including class C

common fireworks is prohibited everywhere within the boundaries of Huntsville Town except within the following boundary description:

West of 7700 East from 600 South to 1<sup>st</sup> Street  
North of 600 South from 7700 East to 7500 East  
East of 7500 East from 600 South to 400 South  
North of 400 South from 7500 East to 7400 East  
East of 7400 East from 400 South to 300 South  
North of 300 South from 7400 East to 7200 East  
East of 7200 East from 300 South to 200 South  
North of 200 South from 7200 East to 6800 East  
East of 6800 East from 200 South to 300 North  
South of 300 North from 6800 East to 6900 East  
West of 6900 East from 300 North to 1<sup>st</sup> Street  
South of 1<sup>st</sup> from 6900 East to 7500 East  
East of 7500 from 1<sup>st</sup> Street to 200 North  
South of 200 North from 7500 East to 7550 East  
South of 1<sup>st</sup> Street from 7550 East to 7700 East

c. The exception described in section 2.b of this ordinance shall only be allowed on the following dates and times:

July 3, 2012 from 12:00 pm to 12:00 midnight  
July 4, 2012 from 6:30 am to 12:00 midnight  
July 24, 2012 from 6:30 am to 12:00 midnight

### **3. Enforcement.**

a. Every officer charged with enforcement of State and municipal laws including the Fire Marshal is hereby charged with the responsibility to enforce this ordinance.

b. Fireworks possessed, sold or offered for sale in violation of this ordinance may be seized and destroyed and the license of the person selling or offering fireworks for sale may be revoked.

**4. Punishment.** Violation of this ordinance shall be a class B misdemeanor punishable by both fine and imprisonment as set forth is Utah law.

**5. Effective Date.** This ordinance shall take effect immediately upon passing. This ordinance was made, voted upon, and passed by the Huntsville Town Council at an emergency Town Council meeting held on the 30th day of July 2012. This resolution shall become effective immediately upon signing by the Mayor and Town Recorder.

**DATED this 30th day of June 2012 VOTING:**

**Huntsville Town Council:**

Laurie C. Allen	Yea
Max S. Ferre	Yea
Scott L. Richardson	Yea
Richard L. Sorensen	Absent

---

James A. Truett, Mayor

**ATTEST: SEAL:**

---

Ramona Clapperton, Recorder